

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	
_____)	MDL No. 2419
)	Dkt. No 1:13-md-2419 (RWZ)
THIS DOCUMENT RELATES TO:)	
)	
<i>All Actions</i>)	
)	
_____)	

ASSENTED-TO MOTION TO AMEND

Saint Thomas West Hospital, formerly known as St. Thomas Hospital, Saint Thomas Network, and Saint Thomas Health, Ascension Health Alliance, and Ascension Health (collectively, the “Saint Thomas Entities”) and Ascension Health Alliance and Ascension Health (collectively referred to as the “Ascension Parties”), with the assent of the Plaintiffs’ Steering Committee (“PSC”), move to amend their *Motion to Dismiss for Failure to Comply with Tennessee Health Care Liability Act* (Docket #779) (“Motion to Dismiss”). In support of this motion, the Saint Thomas Entities state as follows:

On January 10, 2014, the Saint Thomas Entities and Ascension Parties filed their Motion to Dismiss. Attached to the global Motion to Dismiss was an Exhibit A that identified the individual cases to which it applied. Over the course of the next several weeks, these Defendants discovered a few erroneous entries on their Exhibit A and now seek to correct the exhibit. Specifically, the revised Exhibit A corrects an error related to *Temple* case because it appears that service is no longer an issue in the case, although the Temple Plaintiffs’ compliance with T.C.A.

§§ 29-26-121 and 29-26-122 continues to be an issue. Also, the revised Exhibit A deletes the HIPAA non-compliance issues as to *Neely* and *Bryant*.

Counsel for the Saint Thomas Entities and Ascension Parties has consulted with the PSC, and the PSC assents to this motion.

For these reasons, the Saint Thomas Entities and the Ascension Parties respectfully request, with the assent of the PSC, that the Court grant their motion and enter an order granting their motion to amend Exhibit A of their Motion to Dismiss and order that the attached revised Exhibit A be substituted for the Exhibit A originally attached to and filed with the Motion to Dismiss.

Saint Thomas West Hospital,
Saint Thomas Network, Saint Thomas
Health, Ascension Health Alliance, and
Ascension Health

By its attorneys,

/s/ Marcy Hogan Greer

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Dated: April 9, 2014

**Admitted pro hac vice*

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CERTIFICATE OF SERVICE

I certify that, on April 9, 2014, this document (filed through the ECF system) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Marcy Hogan Greer
Marcy Hogan Greer